

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	CASE NO. 8:09CR378
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
JOSE TOMAS LOPEZ-RENDON,)	
)	
Defendant.)	

This matter is before the Court on the Defendant's motion to extend his deadline for filing a motion under 28 U.S.C. § 2255 (Filing No. 57).

The Court does not have authority to extend the deadline, which in this case is July 6, 2011.¹ The prisoner mailbox rule applies. If the Defendant files a § 2255 motion after the deadline, the Court will consider whether the motion is timely under the equitable tolling doctrine.

IT IS ORDERED:

1. The Defendant's motion to extend the deadline for filing a § 2255 motion (Filing No. 57) is denied; and
2. The Clerk is directed to mail a copy of this order to the Defendant at his last known address.

DATED this 9th day of May, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge

¹July 6, 2010, is the date the Defendant's conviction became final for purposes of filing a § 2255 motion.